



## INSPECTOR GENERAL REPORT

2005-01-0029

July 18, 2005

### DISABILITY PLATES AND PLACARDS

*Inspector General David O. Thomas reports to Governor Mitchell E. Daniels, Jr., after an investigation by Special Agent Al Marshal, as follows:*

We commenced on February 5, 2005 an investigation regarding the alleged abuse of disability plates and placards. Dave Certo, General Counsel at the Bureau of Motor Vehicles, requested that we review this matter and provided valuable information with suggested remedies. We have also received multiple complaints on this issue.

#### I.

We researched the applicable law, and then spoke with employees with the Bureau of Motor Vehicles (“BMV”) and State Board of Accounts (“SBA”) who deal with these issues. We were then able to make the following findings.

#### A.

Disability plates substitute regular license plates,<sup>1</sup> and disability placards

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<sup>1</sup> See I.C. 9-18-22.

are hung on the rear view mirror of a car.<sup>2</sup> These plates and placards are to be reserved for Indiana citizens who have a temporary or permanent physical disability.<sup>3</sup> Both a disabled person and a person transporting a disabled person may apply for the disability plates.<sup>4</sup>

B.

Disability plates may be obtained without a physician statement certifying the disability.

C.

Current audits by both internal BMV investigators and SBA auditors check only to see if all disability plates and placards are accounted for rather than determining if they are being properly issued.

D.

A breakdown of plates, placards and vehicle registrations by year are as follows:

	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>Increase</u>
Temporary Disability Placards	12,741	14,150	14,782	15,911	16,565	30.01%
Permanent Disability Placards	90,113	103,800	105,212	111,692	118,215	31.19%
Disability Plates	136,119	139,219	144,540	157,078	160,082	17.60%
Totals	238,973	257,169	264,534	284,681	294,862	
Total vehicle registrations	3,687,675	3,724,952	3,755,431	3,773,253	3,779,253	2.49%

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<sup>2</sup> See I.C. 9-14-5.

<sup>3</sup> Id.

<sup>4</sup> Id.

E.

It is a class C misdemeanor to misuse a disability plate or placard.<sup>5</sup>

## II.

We made two conclusions from our investigation. First, abuse can be seen in the fact that the percentage of increase in vehicle registrations only increased 2.49% in five years, yet the issuance of disability plates increased 17.60% and the issuance of disability placards increased 31.19% during that same time frame.

Second, neither BMV nor SBA is testing the issuance of the plates and placards.

Obviously a placard can be moved from vehicle to vehicle, which is difficult to monitor. Yet in the past four years, there have been 438,919 placards issued for permanent disabilities, and in 2004 alone there were 160,082 disability plates issued. Because placards are valid for four years, it may be plausibly assumed that there are currently 599,001 vehicles using disability plates and placards on Indiana roads. This amounts to 16% of all Indiana registered vehicles. Although difficult to gauge with the current information available, it is highly suspect that 16% of all vehicles in Indiana have disabled drivers.

## III.

We make the following recommendations based on our investigation.

Recommendation 1: BMV Internal Audit should establish a periodic procedure to visit license branches and sample the issuance of disability plates

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<sup>5</sup> Id.

and placards to assure proper documentation is in the file.

Recommendation 2: The BMV Commissioner should issue a general memorandum to the License Branch Managers reminding them of the requirements for issuing disability plates and placards, while also notifying managers that forthcoming audits will be confirming compliance.

Recommendation 3: We further respectfully refer this matter to the Legislature for consideration of the following recommendations<sup>6</sup> in order to protect the disabled: (A) documentation of a permanent disability to obtain a permanently disabled plate, and (B) subsequent physician certification of the disability at least every fifth or sixth year when the plate must be renewed; or (C) abolish disability plates completely and rely upon placards that already require verification of the disability when they are issued.<sup>7</sup> It might also be considered that permanent disabilities be documented when placards are renewed for permanent disabilities.

A remedy to this situation should balance the inconvenience to a disabled person in obtaining a physician's statement or documentation of the disability with the protection this same requirement would provide to those who are truly disabled and wish to be protected from those who abuse the system.

Dated this 18th day of July, 2005.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David O. Thomas".

David O. Thomas, Inspector General

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<sup>6</sup> For current law, see I.C. 9-14-5 (placards) and I.C. 9-18-22 (plates).

<sup>7</sup> Temporary disabilities are re-certified when temporary placards are renewed.